

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, 31, and 36-40 are presently active in this case. Claims 1, 3, 4, 8, 9-14, 18-20, 22, 26-29, and 40 have been amended without the introduction of any new matter. Claims 2, 7, 15, 17, 21, 23, 30, and 32-35 were previously canceled without prejudice or disclaimer.

In the outstanding Office Action, Claims 1, 13, 22, and 40 are rejected under the first paragraph of 35 U.S.C. § 112; Claims 1 and 22 are rejected under the second paragraph of 35 U.S.C. § 112; Claims 1, 13, 16, 19-20, 22, 24-25, 31, and 37-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gabber, et al. (U.S. Patent No. 5,961,593, herein "Gabber") in view of Deng (U.S. Application No. 2002/0097708); Claims 3-6, 8-12, 14, 18, and 36 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted, et al. (U.S. Patent No. 6,192,123, herein "Grunsted"); and Claims 26-29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Kubota, et al. (U.S. Patent No. 6,480,881, herein "Kubota").

In regard to the rejection of Claims 1, 13, 22, and 40 under the first paragraph of 35 U.S.C. § 112 is believed to be overcome by the present amendments to these claims that emphasize the user apparatus provides an initial request for information (note the activation of the "call me object by the user system 200) to an information providing apparatus (e.g., system 300) where this initial request does not identify the user apparatus and is transferred to an information relaying apparatus (see page 13, line 14-page 14, line 6 and note 400). It is this information relaying apparatus that generates the customer number after receiving the user identifier from the user apparatus (see page 14, line 23-page 15, line 5, for example). Clearly, the request made in terms of the user selecting the request object does not identify the user

apparatus that must be separately entered by the user when the user apparatus request is transferred to the information relaying apparatus. Applicant submits that pending Claims 1, 13, 22, and 40 all fully comply with the requirements of 35 U.S.C. § 112, first paragraph, and, accordingly, respectfully request withdrawal of the rejection. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned so that the support for these claims can be further discussed.

Turning to the rejection of Claims 1 and 22 under the second paragraph of 35 U.S.C. § 112, it is noted that these claims do not recite the questioned language as to the feature “receive the request and the customer number from the information relaying apparatus, to request the information relaying apparatus.” The further questioned language as to how the communication path is established has also been clarified. Applicant submits that pending Claims 1 and 22 fully comply with the requirements of 35 U.S.C. § 112, second paragraph, and accordingly request withdrawal of the rejection. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned so that mutually agreeable language can be determined.

In regard to the rejection of Claims 1, 13, 16, 19-20, 22, 24-25, 31, and 37-40 under 35 U.S.C. § 103(a) as being unpatentable over Gabber in view of Deng, it is again noted that Gabber does not disclose or suggest at least the request for information being initially made to the information providing apparatus that transfers it to an information relaying apparatus as recited by amended Claim 1. The outstanding Office Action cites col. 7, line 62-col. 8 line 2 as to an information relaying apparatus that translates to the Gabber central proxy system 110a used to strip already included identification from a request for access to a server site 110g. Moreover, the userentry of data at col. 8, lines 18-34, has nothing to do with the claimed initial request or any transfer of such a request.

As was further noted in the last response, Gabber discloses:

a proxy system that performs two basic functions: (1) automatic substitution of user-specific identifiers such that server sites (e.g., web sites, junction points, intelligent portal devices, routers, network servers, etc.) within a network are prevented from determining the true identity of the user browsing (accessing, locating, retrieving, reading, contacting, etc.) the sites; and (2) automatic stripping of any other information associated with browsing commands that would allow the server sites to determine the true identity of the user browsing the server sites.¹

An important aspect of [Gabber] is that the foregoing functions are performed consistently by the proxy system during subsequent visits to the server site (the same substitute identifiers are used on repeat visits to the server site; the server site also cannot distinguish between information supplied by the user and the proxy system, thus the proxy system is transparent to the server site).²

It is important to understand that subsequent use of the proxy system by a "same" user to a "same" server site will cause the proxy system to construct (directly or indirectly) and use the same (site-specific) substitute identifiers.³

Thus, in Gabber, an information relaying apparatus generates the same customer number for all requests from the same user apparatus directed to the same information providing apparatus. That is, in Gabber, the information relaying apparatus generates a customer number based on information on both the user apparatus and the information providing apparatus; however, the information relaying apparatus does not use the request itself to generate a customer number. On the other hand, in amended Claim 1, the information relaying apparatus is configured to generate a customer number based on an initial request for information transferred from another cite, and the initial request does not identify the user apparatus.

To whatever extent that Deng may or may not supply the teachings noted at the top and bottom of page 6 of the outstanding Action as to establishing a requested communication path, it clearly does not cure the above-noted deficiencies of Gabber.

Accordingly, Applicant respectfully submits that the rejection of Claim 1 under 35

¹ Column 2, line 59-column 3, line 2 of Gabber.

² Column 3, lines 2-8 of Gabber. (emphasis added)

³ Column 3, line 65-column 4, line 1 of Gabber. (emphasis added)

U.S.C. § 103(a) as unpatentable over these references should be withdrawn.

Independent Claims 13, 22, and 40 although of different statutory class or of different scope, include recitations similar to those in Claim 1 discussed above. Claims 16, 19, 20, 24, 25, 31, and 37-39 depend either directly or indirectly on Claims 13 or 22. For at least the reasons given above with respect to Claim 1, Applicant respectfully requests that the rejection of Claims 13, 16, 22, 24, 25, 31, and 37-40 under 35 U.S.C. § 103(a) as unpatentable over these references should be withdrawn as well.

In regard to the rejection of Claims 3-6, 8-12, 14, 18, and 36 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Grunsted, Applicant respectfully traverses the rejection for the following reasons.

Claims 3-6, 8-12, 14, 18, and 36 depend on Claim 1 or 13. As discussed above with respect to Claim 1, Gabber does not teach or suggest the limitations of independent Claims 1 and 13 that were noted above. In view of the failure of Grunsted to cure the deficiencies in Gabber that were noted above, it is respectfully submits that Gabber in view of Grunsted does not render independent Claim 1 or Independent Claim 13 obvious under 35 U.S.C. § 103(a). Accordingly, Applicant respectfully submits that as Claims 3-6, 8-12, 14, 18 and 36 all directly or indirectly depend from Claim 1 or 13, the rejection of Claims 3-6, 8-12, 14, 18, and 36 under 35 U.S.C. § 103(a) should also be withdrawn.

In regard to the rejection of Claims 26-29 under 35 U.S.C. § 103(a) as unpatentable over Gabber in view of Deng and further in view of Kubota, Applicant respectfully traverses the rejection for the following reasons.

Claims 26-29 all depend from on Claim 22. As discussed above with respect to Claims 1 and 22, Gabber in view of Deng does not teach or suggest each and every element recited in Claims 1 and 22. In view of the failure of Kubota to cure the

deficiencies in Gabber and Deng that were noted above, it is respectfully submits that Gabber in view of Deng and Kubota does not render independent Claim 1 or Independent Claim 22 obvious under 35 U.S.C. § 103(a). Accordingly, Applicant respectfully submits that as Claims 26-29 all directly or indirectly depend from Claim 22, the rejection of Claims 26-29 under 35 U.S.C. § 103(a) should also be withdrawn.

In view of the foregoing remarks, Applicant respectfully submits that each and every one of Claims 1, 3-6, 8-14, 16, 18-20, 22, 24-29, 31, and 36-40 defines patentable subject matter, and that the application is in condition for allowance. Applicant respectfully requests reconsideration and reexamination of this application and timely allowance of the pending claims.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073
Raymond F. Cardillo Jr.
Registration No. 40,440

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)